

Pro Se 15 (Rev. 12/16) Complaint for Violation of Civil Rights (Non-Prisoner)

**RECEIVED**

UNITED STATES DISTRICT COURT

**JUDGE GRAHAM**

JAN 24 2024

for the

District of

Division

**MAGISTRATE JUDGE DEEVERS**RICHARD W. NAGEL, CLERK OF COURT  
COLUMBUS, OHIO

Case No.

**2:24 CV 0301**

(to be filled in by the Clerk's Office)

Jimmy Michael Hudson II

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

The Village of Buckeye Lake Ohio, Buckeye Lake  
Police Department, Bradley Nicodemus, Jason  
Harget, Matthew May, Linda Goodman, and 6  
Unkown Defendants

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names. Do not include addresses here.)

**COMPLAINT FOR VIOLATION OF CIVIL RIGHTS**

(Non-Prisoner Complaint)

**NOTICE**

Federal Rules of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

Except as noted in this form, plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.

In order for your complaint to be filed, it must be accompanied by the filing fee or an application to proceed in forma pauperis.

**I. The Parties to This Complaint****A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	Jimmy Michael Hudson II		
Address	5895 Newbridge Drive		
	Dublin	OH	43017
	<i>City</i>	<i>State</i>	<i>Zip Code</i>
County	Franklin		
Telephone Number	220-244-2387		
E-Mail Address	jimmyhudsonii@gmail.com		

**B. The Defendant(s)**

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known) and check whether you are bringing this complaint against them in their individual capacity or official capacity, or both. Attach additional pages if needed.

## Defendant No. 1

Name	The Village of Buckeye Lake/ Buckeye Lake Police Department		
Job or Title <i>(if known)</i>			
Address	5192 Walnut RD		
	Buckeye Lake	OH	43008
	<i>City</i>	<i>State</i>	<i>Zip Code</i>
County	Licking		
Telephone Number	740-928-7100		
E-Mail Address <i>(if known)</i>	mayor@buckeyelakevillage.com		
<input type="checkbox"/> Individual capacity <input checked="" type="checkbox"/> Official capacity			

## Defendant No. 2

Name	Bradley Nicodemu		
Job or Title <i>(if known)</i>	Solicitor of Buckeye Lake, Whitehall City Attorney		
Address	538 S. Yearling Road Suite 102		
	Whitehall	OH	43213
	<i>City</i>	<i>State</i>	<i>Zip Code</i>
County	Franklin		
Telephone Number	740-422-9280, 614-237-9802		
E-Mail Address <i>(if known)</i>	brad.nicodemus@whitehall-oh.us		
<input type="checkbox"/> Individual capacity <input checked="" type="checkbox"/> Official capacity			

## Defendant No. 3

Name	Jason Harget and Matthew May		
Job or Title <i>(if known)</i>	Chief of Buckeye Lake Police		
Address	5192 Walnut RD		
	Buckeye Lake	OH	43008
	<i>City</i>	<i>State</i>	<i>Zip Code</i>
County	Licking		
Telephone Number	7409280999		
E-Mail Address <i>(if known)</i>	police@buckeyelakevillage.com		
<input type="checkbox"/> Individual capacity <input checked="" type="checkbox"/> Official capacity			

## Defendant No. 4

Name	Linda Goodman		
Job or Title <i>(if known)</i>	President of Buckeye Lake Village Council		
Address	5192 Walnut RD		
	Buckeye Lake	OH	43008
	<i>City</i>	<i>State</i>	<i>Zip Code</i>
County	Licking		
Telephone Number	740-928-7100		
E-Mail Address <i>(if known)</i>	council@buckeyelakevillage.com		
<input type="checkbox"/> Individual capacity <input checked="" type="checkbox"/> Official capacity			

**II. Basis for Jurisdiction**

Under 42 U.S.C. § 1983, you may sue state or local officials for the "deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws]." Under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.

A. Are you bringing suit against *(check all that apply)*:

- ☐ Federal officials (a *Bivens* claim)
- ☒ State or local officials (a § 1983 claim)

B. Section 1983 allows claims alleging the "deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws]." 42 U.S.C. § 1983. If you are suing under section 1983, what federal constitutional or statutory right(s) do you claim is/are being violated by state or local officials?

4<sup>th</sup> Amendment by Matthew May, 1<sup>st</sup> Amendment by Linda Goodman, multiple violations of FOIA requests and requests for discovery through written means, judges orders, and subpoena by Jason Harget and Bradley Nicodemus

C. Plaintiffs suing under *Bivens* may only recover for the violation of certain constitutional rights. If you are suing under *Bivens*, what constitutional right(s) do you claim is/are being violated by federal officials?

Im suing under 1983

- D. Section 1983 allows defendants to be found liable only when they have acted "under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia." 42 U.S.C. § 1983. If you are suing under section 1983, explain how each defendant acted under color of state or local law. If you are suing under *Bivens*, explain how each defendant acted under color of federal law. Attach additional pages if needed.

Matthew May violated my 4<sup>th</sup> Amendment rights by giving me an unlawful order of disclosing my phone number claiming it was a law and based on his aggressive stance I was scared he would release his dog on me. He refused to identify himself and refused a superior officer. Jason Harget refused to answer my complaint on Matthew May and multiple FOIA requests for radar records, and other pulic information. I was later told by officer Wellbacher that Mr Harget was instructed by city Solicitor Brad Nicodemus not to answer any of my requests and to not allow me to handle any business with the Buckeye Lake office and another lady also told me I was only allowed to speak with Mr Nicodemus. Mr Nicodemus refused all discovery requests until late December where he sent me a piece of paper filled out in Pencil about test results for Mr Mays radar class in another police department and he sent me a copy of my own complaints and requests. After I asked a judge to arrest him he produced expired radar records for A, meaning 1 Radar gun out of 5 cruisers and did not know which cruiser it came out of. Mr Harget has failed to keep proper maintenance, calibration and appropriate records for these radar guns and the Solicitor knows this as it was uncovered in court and continues to illegally prosecute people. Jason Harget repeadetly denied my requests for Discovery and FOIA andcontinues to allow his officers to ticket people with illegal devices. Buckeye Lake already was disciplined for this in 2018. I attemptd to address this issue at a village council meeting where i was continuously interrupted and not allowed to speak by Linda Goodman and I told her I was suing Buckeye Lake for violating my rights and if she does not allow me to speak I will name her as a defendant and she told me to file it in whatever court I wanted to so I added her as a defendant to be personally liable as she requested.

### III. Statement of Claim

State as briefly as possible the facts of your case. Describe how each defendant was personally involved in the alleged wrongful action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

- A. Where did the events giving rise to your claim(s) occur?  
Buckeye Lake, and Licking County Municipal Court

- B. What date and approximate time did the events giving rise to your claim(s) occur?  
originally 10/29/2023 then my FOIA refusals came on 11/14/2023, 11/21/2023, 11/22/2023, 11/29/2023, 12/11/2023, 12/14/2023, 12/28/2023, 01/04/2024, and on 1/22/2024 I attempted to redress my grievances as allowed by my first amendment along with freedom of speech where I was rudely and continuously interrupted by Linda Goodman and she proudly violated my rights and asked to be included as a defendant and to be held personally respnsible for violating my rights.

- C. What are the facts underlying your claim(s)? *(For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?)*

Matthew May violated my 4th Amendment rights by giving me an unlawful order of disclosing my phone number claiming it was a law and based on his aggressive stance I was scared he would release his dog on me. He refused to identify himself and refused a superior officer. Jason Harget refused to answer my complaint on Matthew May and multiple FOIA requests for radar records, and other public information. I was later told by officer Wellbacher that Mr Harget was instructed by city Solicitor Brad Nicodemus not to answer any of my requests and to not allow me to handle any business with the Buckeye Lake office and another lady also told me I was only allowed to speak with Mr Nicodemus. Mr Nicodemus refused all discovery requests until late December where he sent me a piece of paper filled out in Pencil about test results for Mr Mays radar class in another police department and he sent me a copy of my own complaints and requests. After I asked a judge to arrest him he produced expired radar records for A, meaning 1 Radar gun out of 5 cruisers and did not know which cruiser it came out of. Mr Harget has failed to keep proper maintenance, calibration and appropriate records for these radar guns and the Solicitor knows this as it was uncovered in court and continues to illegally prosecute people. Jason Harget repeatedly denied my requests for Discovery and FOIA and continues to allow his officers to ticket people with illegal devices. Buckeye Lake already was disciplined for this in 2018. I attempted to address this issue at a village council meeting where i was continuously interrupted and not allowed to speak by Linda Goodman and I told her I was suing Buckeye Lake for violating my rights and if she does not allow me to speak I will name her as a defendant and she told me to file it in whatever court I wanted to so I added her as a defendant to be personally liable as she requested.

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#### **IV. Injuries**

If you sustained injuries related to the events alleged above, describe your injuries and state what medical treatment, if any, you required and did or did not receive.

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#### **V. Relief**

State briefly what you want the court to do for you. Make no legal arguments. Do not cite any cases or statutes. If requesting money damages, include the amounts of any actual damages and/or punitive damages claimed for the acts alleged. Explain the basis for these claims.

2,500,000 for multiple violations of my rights and harrassment over many months. I also want the Buckeye Lake Police Department to be shut down over continuous violations of civil rights and Federal and State Laws.

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**VI. Certification and Closing**

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

**A. For Parties Without an Attorney**

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 01/24/2024

Signature of Plaintiff Jimmy Hudson   
Printed Name of Plaintiff Jimmy Michael Hudson II

**B. For Attorneys**

Date of signing: \_\_\_\_\_

Signature of Attorney \_\_\_\_\_  
Printed Name of Attorney \_\_\_\_\_  
Bar Number \_\_\_\_\_  
Name of Law Firm \_\_\_\_\_

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	Dublin	OH	43017
	<i>City</i>	<i>State</i>	<i>Zip Code</i>
Telephone Number	220-244-2387		
E-mail Address	jimmyhudsonii@gmail.com		